

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Han, et al.

Serial No. Not Yet Assigned

Filed: July 28, 2006

For: HIV INTEGRASE INHIBITORS

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

EXPRESS MAIL CERTIFICATE
DATE OF DEPOSIT July 28, 2006
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10/587682

PATENT Case No. 21515YP

IAP12 Rec'd PCT/PTO 28 JUL 2006

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

| RELATED APPLICATION | | |
|---------------------|-------------|------------|
| U. S. SERIAL NUMBER | FILING DATE | MERCK CASE |
| | | |
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If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

Kenneth R. Walton

By: Kenneth R. Walton

Attorney _____ For Applicant(s)

Reg. No. 32,951

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

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(732)594-3462

Date: July 28, 2006

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
TAP 12 PAGE 10 OF 10 28 JUL 2006

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|-------------------------------|------------------|
| Application Number | Not Yet Assigned |
| Filing Date | July 28, 2006 |
| First Named Inventor | Wei Han |
| Group Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 21515YP |

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| Sheet | 1 | of | 2 |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|----------|-------------------------|-----------|-------------------------|---|---|
| Examiner Initials* | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY |
| | | Office | Number | Kind Code (if known) | | |
| | 8 | WO | 01/00578 | A1 | Tularik, Inc. | 01/04/2001 |
| | 9 | EP | 1422218 | A1 | Shionogi & Co., Ltd. | 05/26/2004 |
| | 10 | WO | 02/30426 | A1 | Merck & Co., Inc. | 04/18/2002 |
| | 11 | WO | 02/55079 | A2 | Merck & Co., Inc. | 07/18/2002 |
| | 12 | WO | 02/036734 | A2 | Merck & Co., Inc. | 05/10/2002 |
| | 13 | WO | 03/35076 | A1 | Istituto Di Ricerche Di Biologia Molecolare P. Angeletti S.P.A. | 05/01/2003 |
| | 14 | WO | 03/35077 | A1 | Istituto Di Ricerche Di Biologia Molecolare P. Angeletti S.P.A. | 05/01/2003 |
| | 15 | WO | 03/062204 | A1 | Merck & Co., Inc. | 07/31/2003 |
| | 16 | WO | 04/004657 | A2 | Bristol-Myers Squibb Co. | 01/15/2004 |
| | | | | | | |

Date
Considered

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005

10/587682
 10/12/2006
 PTO 28 JUL 2006

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|---|---|----|------------------------|--|------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | Application Number | | Not Yet Assigned |
| | | | Filing Date | | July 28, 2006 |
| | | | First Named Inventor | | Wei Han |
| | | | Group Art Unit | | Not Yet Assigned |
| | | | Examiner Name | | Not Yet Assigned |
| | | | Attorney Docket Number | | 21515YP |
| Sheet | 2 | of | 2 | | |

| NON PATENT LITERATURE DOCUMENTS | | |
|---------------------------------|----------|---|
| Examiner Initials* | Cite No. | Include name of the author, title, date, page(s), volume-issue number(s) and place of publication. |
| | 17 | Ratner, L., et al., "Complete Nucleotide Sequence of the AIDS Virus, HTLV-III", Nature, Vol. 313, pp. 277-284, (1985) |
| | 18 | Toh, H., et al., "Close Structural Resemblance Between Putative Polymerase of a Drosophila Transposable Genetic Element 17.6 and Pol Gene Product of Moloney Murine Leukemia Virus", EMBO Journal, Vol. 4, No. 5, pp. 1267-1272, (1985) |
| | 19 | Power, M.D., et al., "Nucleotide Sequence of SRV-1, a Type D Simian Acquired Immune Deficiency Syndrome Retrovirus", Science, Vol. 231, pp. 1567-1572, (1986) |
| | 20 | Pearl, L.H., et al., "A Structural Model for the Retroviral Proteases", Nature, Vol. 329, pp. 351-354, (1987) |
| | 21 | Derwent Abstract No. 2003-300600/29, Abstract of WO 03/016275, "Compositions Containing New and Known Heterocyclic Ketone Compounds Useful as Antiviral Agents Especially for Treating HIV Infections (JPN)" |
| | 22 | Derwent Abstract, No.2005-202383/21, Abstract of WO 05/016927, "New Bicyclic Nitrogen Containing Heterocyclic Dione Compounds are Integrase Inhibitors Used for Treating Viral Infections e.g. HIV Infection (JPN)" |
| | 23 | Maurin, C., et al., "Structure-Activity Relationships of HIV-1 Integrase Inhibitors - Enzyme-Ligand Interactions", Current Medicinal Chemistry, Vol. 10, pp. 1795-1810 (2003) |
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| Examiner Signature | | Date Considered | |
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